

ORDINANCE NO. 2086

AN ORDINANCE AUTHORIZING CERTAIN IMPROVEMENTS TO THE WATER SUPPLY SYSTEM OF THE CITY OF BURLINGAME, KANSAS, TOGETHER WITH ALL THINGS NECESSARY AND INCIDENTAL THERETO, UNDER THE AUTHORITY OF K.S.A. 65-163u.

WHEREAS, the Governing Body of the City of Burlingame, Osage County, Kansas (the “City”), deems it necessary and advisable to improve its water supply system by constructing certain water storage and distribution system improvements; together with all things necessary and incidental thereto (the “Project”) for the purpose of adequately supplying said City and its inhabitants with water; and

WHEREAS, in order to provide funds to pay part of the cost of the Project, it is necessary that the City issue its General Obligation Bonds under the authority of K.S.A. 65-163u (the “Act”) in an amount not exceeding \$920,950 to pay part of the cost of the Project, the total cost of which is estimated to be \$2,057,600, with the balance of such costs to be paid by the City from the proceeds of a \$400,000 community development block grant to the City from the Kansas Department of Commerce and Housing and a \$736,650 grant from USDA Rural Development.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BURLINGAME, OSAGE COUNTY, KANSAS:

Section 1. That, pursuant to the Act, the completion of the Project including the acquisition of necessary sites therefore, together with all things necessary and incidental thereto to serve the City is hereby authorized and ordered to be done in accordance with the plans and specifications therefore on file with the City Clerk of the City.

Section 2. That to provide funds to pay a portion of the costs of the Project, the issuance of general obligation bonds of the City in an amount not exceeding \$920,950 under the authority of the Act is hereby authorized and ordered. The City both reasonably expects and intends to finance part of the costs of the Project as aforesaid from the proceeds of general obligation bonds of the City. The City does hereby express its official intent to reimburse any such capital expenditures made or obligations incurred by it on or after the date which is 60 days before the date of this Ordinance from the proceeds of such bonds in the estimated maximum principal amount of \$920,950. The City will issue such bonds for such purposes and make the reimbursements within eighteen (18) months after the date the expenditure to be reimbursed was paid or, if later, eighteen (18) months after the date of which the property resulting from the expenditure was placed in service. Provided, that, in any event, the City must make the reimbursement allocation within three (3) years after the date the expenditure was paid. This Ordinance, as the expression of the governing body's official intent regarding the matters described herein, will be available for public inspection in the City's Clerk's office at City Hall during regular business hours of the City.

Section 3. That, pursuant to K.S.A. 10-123, the City is hereby authorized to issue Temporary Notes to provide funds to pay part of the costs of the Project until bonds may be issued therefore or other legally available funds are available to the City for such purpose. That said Temporary Notes may be issued pursuant to a resolution duly adopted by the Governing Body of the City.

Section 4. That this Ordinance shall take effect and be in force from and after its passage and approval by the governing body of the City and its publication in the official newspaper of the City.

PASSED by the Governing Body and approved by the Mayor on this 31st day of May,
2006.

CITY OF BURLINGAME, KANSAS

William Kraus, Mayor

ATTEST:

Christina Lewis, City Clerk

(SEAL)